

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

LOUIS MERRICK,
Plaintiff

v.

B. ELLIS,
Defendant.

Case No. EDCV 15-1052-AB (GJS)

**ORDER ACCEPTING FINDINGS
AND RECOMMENDATIONS OF
UNITED STATES MAGISTRATE
JUDGE**

Pursuant to 28 U.S.C. § 636, the Court has reviewed the Complaint and all pleadings, motions, and other documents filed in this action, and the Report and Recommendation of United States Magistrate Judge (“Report”). The deadline to file Objections to the Report has passed, and no Objections have been filed with the Court. Having completed its review, the Court accepts the findings and recommendations set forth in the Report, except that it notes two typographical errors, at page 7, line 21 and page 8, line 3, where “Merrick” should be substituted for “Ellis.”

Accordingly, **IT IS ORDERED** that:

1 (1) Defendant's Motion to Dismiss ["Motion," Dkt. No. 19] is GRANTED
2 insofar as the official capacity claims and request for injunctive and
3 declaratory relief set forth in the Complaint are dismissed;

4 (2) The Motion is DENIED in all other respects; and

5 (3) Within twenty-one (21) days of the entry of this Order, Defendant shall
6 answer the Complaint as it has been amended by this Order.

7 **IT IS SO ORDERED.**

8
9 DATE: February 4, 2016



10 ANDRÉ BIROTTE JR.
11 UNITED STATES DISTRICT JUDGE
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28